

U.S. DEPARTMENT OF COMMERCE  
PATENT AND TRADEMARK OFFICE

DECLARATION AND POWER OF ATTORNEY

ATTORNEY'S DOCKET NO.

11835/8

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled  
CONTROL APPARATUS FOR VARIABLE-CYLINDER  
ENGINE, AND CONTROL APPARATUS FOR AUTOMOTIVE  
VEHICLE INCLUDING VARIABLE-CYLINDER ENGINE, the specification of which

\_\_\_\_\_ is attached hereto.

\_\_\_\_\_ was filed on \_\_\_\_\_ as  
United States Application Number or PCT International  
Application Number \_\_\_\_\_  
and was amended on \_\_\_\_\_  
(if applicable)

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56.

PRIOR FOREIGN APPLICATION(S)

I hereby claim foreign priority benefits under Title 35, United States Code, § 119(a)-(d) or §365(b) of any foreign application(s) for patent or inventor's certificate, or §365(a) of any PCT International application which designated at least one country other than the United States, listed below and have also identified below any foreign application for patent or inventor's certificate or PCT International application having a filing date before that of the application on which priority is claimed:

COUNTRY	APPLICATION NUMBER	DATE OF FILING (day, month, year)	DATE OF ISSUE (day, month, year)	PRIORITY CLAIMED UNDER 35 U.S.C. § 119
Japan	Patent Appln. No. 2000-279519	14/09/2000		YES

PRIOR UNITED STATES APPLICATION(S)

I hereby claim the benefit under Title 35, United States Code, § 119(e) of any United States provisional application(s) listed below.

APPLICATION NUMBER	FILING DATE (day, month, year)

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s), or §365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

APPLICATION NUMBER	FILING DATE (day, month, year)	STATUS - (i.e. Patented, Pending, Abandoned)

POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorneys:

Edward W. Greason (Reg. No. 18,918) & Customer No. 23838

SEND CORRESPONDENCE, AND DIRECT TELEPHONE CALLS TO:

Edward W. Greason  
KENYON & KENYON  
One Broadway  
New York, New York 10004  
(212) 425-7200 (phone)  
(212) 425-5288 (facsimile)

I declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under § 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

FULL NAME OF INVENTOR	FAMILY NAME TABATA	FIRST GIVEN NAME Atsushi	SECOND GIVEN NAME
RESIDENCE & CITIZENSHIP	CITY Okazaki-shi	STATE OR FOREIGN COUNTRY Aichi-ken	COUNTRY OF CITIZENSHIP Japan
POST OFFICE ADDRESS	c/o TOYOTA JIDOSHA KABUSHIKI KAISHA, 1, Toyota-cho, Toyota-shi, Aichi-ken, 471-8571, Japan		
Signature <i>Atsushi Tabata</i>		Date September 17, 2001	
FULL NAME OF INVENTOR	FAMILY NAME NAGANO	FIRST GIVEN NAME Shuji	SECOND GIVEN NAME
RESIDENCE & CITIZENSHIP	CITY Toyota-shi	STATE OR FOREIGN COUNTRY Aichi-ken	COUNTRY OF CITIZENSHIP Japan
POST OFFICE ADDRESS	c/o TOYOTA JIDOSHA KABUSHIKI KAISHA, 1, Toyota-cho, Toyota-shi, Aichi-ken, 471-8571, Japan		
Signature <i>Shuji Nagano</i>		Date September 17, 2001	

**PATENTS ONLY**

To the Assistant Commissioner for Patents: Please record the attached original

101908200

## 1. Name of conveying party(ies):

Atsushi TABATA  
Shuji NAGANOAdditional name(s) of conveying party(ies) attached? ☐ Yes ☒ No

## 2. Name and address of receiving party(ies):

Name: **TOYOTA JIDOSHA KABUSHIKI  
KAISHA**

Internal Address:

Street Address: **1, Toyota-cho, Toyota-shi  
Aichi-ken, 471-8571  
JAPAN**Additional name(s) & address(es) attached? ☐ Yes ☒ No

## 3. Nature of conveyance:

- ☒ Assignment ☐ Merger  
☐ Security Agreement ☐ Change of Name

☐ Other \_\_\_\_\_

Execution Date: 17 September 2001

## 4. Application number(s) or patent number(s):

If this document is being filed together with a new application, the execution date of the application is:

A. Patent Application No.(s)  
09/949,729

B. Patent No.(s)

Additional numbers attached: ☐ Yes ☒ No

## 5. Name and address of party to whom correspondence concerning document should be mailed:

John C. Altmiller  
Kenyon & Kenyon  
1500 K Street, N.W., Suite 700  
Washington, DC 20005

## 6. Total number of applications and patents involved: 1

## 7. Total fee (37 CFR 3.41).....\$40.00

- ☐ Enclosed  
☒ Authorized to be charged to deposit account

## 8. Deposit account number:

11-0600

(Attach duplicate copy of this page if paying by deposit account)

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## 9. Statement and signature.

*To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.*John C. Altmiller  
Name of Person Signing

Signature

30 November 2001  
Date

Total number of pages including cover sheet, attachments, and document: 2

## ASSIGNMENT

WHEREAS, WE, Atsushi TABATA and Shuji NAGANO

\_\_\_\_\_, citizens of  
Japan, residing at Okazaki-shi, Aichi-ken, Japan and Toyota-shi,  
Aichi-ken, Japan

respectively, have invented new and useful improvements in  
CONTROL APPARATUS FOR VARIABLE-CYLINDER ENGINE, AND CONTROL APPARATUS  
FOR AUTOMOTIVE VEHICLE INCLUDING VARIABLE-CYLINDER ENGINE

for which we are about to make application for Letters Patent of the United States, said application having been executed by us on even date herewith; and

WHEREAS, TOYOTA JIDOSHA KABUSHIKI KAISHA

a Company of Japan, having its place of business at

1, Toyota-cho, Toyota-shi, Aichi-ken, 471-8571, Japan

(hereinafter referred to as the Assignee), is desirous of acquiring the entire right, title and interest in and to the application and the invention therein described and claimed and any Letters Patent that may be issued upon the application or for the improvements therein contained.

NOW, THEREFORE, for and in consideration of the equivalent sum of One Dollar (\$1.00) to us in hand paid, the receipt and sufficiency whereof is hereby acknowledged, we have sold, assigned and transferred, and do hereby sell, assign and transfer unto the Assignee, its successors and assigns, the entire right, title and interest in and to the application and the invention therein contained, including the right to apply for any Letters Patent in the United States of America on the invention, any any Letters Patent that may issue thereon or therefor, in the United States, and all reissues, extensions,

renewals, divisions and continuations thereof, to the full end of the term or terms for which the Letters Patent may be issued, the same to be held and enjoyed by the Assignee, its successors and assigns, the same as it would have been held and enjoyed by us if this Assignment and sale had not been made.

And we hereby authorize and request the Commissioner of Patents to issue all such Letters Patent to the Assignee, its successors and assigns, in accordance with this instrument of Assignment.

We hereby represent and warrant that there are no rights and interests outstanding inconsistent with the rights and interests granted herein and that we will not execute any instrument or grant or transfer any rights or interests inconsistent therewith, and we bind ourselves, our heirs, executors, administrators and legal representatives, as the case may be, to execute and deliver to the Assignee, its successors and assigns, any further documents or instruments and do any and all further acts that may be deemed necessary by the Assignee, its successors and assigns, to vest in the Assignee, its successors and assigns, the title herein conveyed, or intended so to be, and to enable such title to be recorded in the United States.

And we further covenant and agree, in consideration of the premises that we, our executors and administrators, will at any time upon request communicate to the Assignee, its successors and assigns, any facts relating to the invention and improvements and the history thereof, known to us or our executors and administrators, and that we will testify as to the same in any

interference or other litigation when requested so to do by the Assignee, its successors and assigns.

IN TESTIMONY WHEREOF, I have hereunto set my hand and seal this 17th day of September, 2001.

Atsushi Tabata

IN TESTIMONY WHEREOF, I have hereunto set my hand and seal this 17th day of September, 2001.

Shuji Nagano

WITNESSED BY:

Mikio Mori

Name

c/o TOYOTA JIDOSHA KABUSHIKI KAISHA,

1, Toyota-cho, Toyota-shi, Aichi-ken, 471-8571, Japan

Address

WITNESSED BY:

Yasushi Kobiki

Name

c/o TOYOTA JIDOSHA KABUSHIKI KAISHA,

1, Toyota-cho, Toyota-shi, Aichi-ken, 471-8571, Japan

Address



UNITED STATES  
PATENT AND  
TRADEMARK OFFICE

JANUARY 28, 2002

PTAS

Under Secretary of Commerce For Intellectual Property and  
Director of the United States Patent and Trademark Office  
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\*101908200A\*

UNITED STATES PATENT AND TRADEMARK OFFICE  
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

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BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:

TABATA, ATSUSHI

DOC DATE: 09/17/2001

ASSIGNOR:

NAGANO, SHUJI

DOC DATE: 09/17/2001

ASSIGNEE:

TOYOTA JIDOSHA KABUSHIKI KAISHA  
1, TOYOTA-CHO, TOYOTA-SHI  
AICHI-KEN, 471-8571, JAPAN

SERIAL NUMBER: 09949729

FILING DATE: 09/12/2001

PATENT NUMBER:

ISSUE DATE:

MARY BENTON, EXAMINER  
ASSIGNMENT DIVISION  
OFFICE OF PUBLIC RECORDS

2/6/02